

500.00 Interference and Retaliation

A: Purpose: To establish guidelines to deal with instances of interference or retaliation.

B: Policy: Long-term care residents and Ombudsman Representatives should be free from interference and retaliation.

500.01. Retaliation and Reprisals:

- 1) The following procedure will apply if retaliation and/or reprisals are taken by a long-term care facility with respect to any resident for having filed a complaint with, or provided information to the Ombudsman Program.
 - (a) Personal contact will be made with the complainant, resident or his legal Representative to determine the validity of the concern about retaliation, reprisals, or interference.
 - (b) Consent will be secured to represent the resident.
 - (c) The Ombudsman Representative will gather the necessary facts and interviews will be conducted with the appropriate facility staff if appropriate.
 - (d) Where possible, the resident will be involved in the process.
 - (e) If a facility staff member is the source of the retaliation, reprisal or interference the facility administrator will be notified about the problem.
 - (f) Timely follow-up will be provided to the resident regarding the progress of the concern.
 - (g) The Ombudsman Coordinator will forward relevant information to the OSLTCO for resolution where necessary.

500.02 Willful Interference:

- 2) Willful interference with the Ombudsman in the performance of official duties will be pursued according to the following guidelines:
 - (a) Examples of the types of willful interference that could exist are: denial of access to facility or residents; interference with private communication with resident; delay in producing information; and attempts by representatives of a facility to influence the sponsoring agency of the Ombudsman Program.
 - (b) Incidents of willful interference shall follow procedure about for retaliation and reprisal.
 - (c) Incidents of interference with the Ombudsman Program in the performance of their official duties will be referred to the OSLTCO who will pursue remedies for the problem.